

California Regional Water Quality Control Board
North Coast Region

Order No. R1-2002-0036
I.D. No. 1B82002OHUM

WASTE DISCHARGE REQUIREMENTS

FOR

BLUE LAKE FOREST PRODUCTS, INC.
GLENDALE SAWMILL

Humboldt County

The California Regional Water Quality Control Board, North Coast Region (hereinafter Regional Water Board), finds that:

1. Blue Lake Forest Products, Inc. (hereinafter discharger), P.O. Box 1176, Arcata, CA 95518 submitted a Report of Waste Discharge dated October 26, 2001.
2. The discharger operates a lumber mill in the unincorporated town of Glendale, east of Arcata. Drainage from swampy land upslope of the mill causes perennial flow through the millyard drain system into Mill Creek, which is tributary to the Mad River approximately one mile upstream of the Essex potable water intakes for the Humboldt Bay Municipal Water District. Earthen material, woody debris, wood chips, and sawdust discharge into catch basins and separators located within the millyard storm water drain system.

No process water (log edgers, log deck sprinklers, cooling water, or vehicle washes) discharges from the mill complex. Domestic wastes discharge to the sanitary sewer.
3. The discharger is in the process of investigating the feasibility of installing a wood treatment system in which fungicides will be applied to the wood for stain prevention. Wood treatment equipment will be located under a roof and will be self-contained to capture overspray and drips. A time schedule has been included in this permit requiring the discharger to submit a timely report on the proposed plans and schedule for installing a chemical wood treatment system. The Monitoring and Reporting Program will be modified as appropriate.
4. The former owner/operator of the lumber mill operated a chemical wood treatment system using pentachlorophenol and tetrachlorophenol. Wood treatment chemicals discharged onto the ground surface, into the millyard drain system, and into the Mad River during the 1960s and 1970s. Site investigations and cleanups were conducted with oversight by California Department of Toxic

Substances Control (DTSC) pursuant to state superfund regulations. The final cleanup effort included capping of the old green chain area with a concrete slab and installation of groundwater monitoring wells to verify that groundwater will not be impacted. DTSC continues to monitor integrity of the concrete cap and quality of groundwater in the immediate vicinity.

5. The discharger applied for coverage under the statewide General NPDES Permit No. CAS000001 for Discharges of Storm Water Associated with Industrial Activities, Order No. 97-03-DWQ. The discharger has prepared a Storm Water Pollution Prevention Plan (SWPP Plan) and has implemented the provisions of the SWPP Plan. The SWPP Plan includes source identification, practices to reduce or eliminate pollutant discharge to storm water, an assessment of potential pollutant sources, a materials inventory, a preventive maintenance program, spill prevention and response procedures, general storm water management practices, employee training, record keeping, and elimination of nonstorm water discharges to the storm water system. It also includes a storm water monitoring plan to verify the effectiveness of the SWPP Plan. Storm water discharges at this facility are regulated by the statewide general permit.
6. It is the intent of this Order to prohibit the discharge of sawdust. However, it is impractical to eliminate all sawdust discharges beyond that which would occur with implementation of Best Management Practices (BMPs). A discharge prohibition is established to require implementation and maintenance of BMPs to reduce sawdust discharges to the maximum extent practicable. This Order includes a monitoring program to demonstrate the effectiveness of BMPs and compliance with water quality objectives.
7. The discharger is presently governed by Waste Discharge Requirements Order No. 87-11, adopted by the Regional Water Board on January 22, 1987.
8. The "Water Quality Control Plan for the North Coast Region" (Basin Plan) includes water quality objectives, implementation plans for point source and nonpoint source discharges, prohibitions, and statewide plans and policies.
9. The beneficial uses of the Mad River and its tributaries include:
 - a. municipal and domestic supply (MUN)
 - b. agricultural supply (AGR)
 - c. industrial service supply (IND)
 - d. industrial process supply (PROC)
 - e. groundwater recharge (GWR)
 - f. hydropower generation (POW)
 - g. water contact recreation (REC1)
 - h. noncontact water recreation (REC2)
 - i. commercial and sport fishing (COMM)
 - j. warm freshwater habitat (WARM)
 - k. cold freshwater habitat (COLD)

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| l. | wildlife habitat | (WILD) |
| m. | preservation of rare, threatened or endangered species | (RARE) |
| n. | migration of aquatic organisms | (MIGR) |
| o. | spawning, reproduction, and/or early development of fish | (SPWN) |
| p. | estuarine habitat | (EST) |
| q. | aquaculture | (AQUA) |
10. Beneficial uses of areal groundwaters include:
- a. domestic water supply
 - b. agricultural water supply
 - c. industrial service supply
 - d. industrial process supply
11. The Mad River is listed as an impaired water body for sediment and turbidity pursuant to Section 303(d) of the federal Clean Water Act (CWA). A Total Maximum Daily Load (TMDL) has not been established to address these loadings, but TMDL development is scheduled for February 2007. The discharge contains sediment and turbidity levels which could cause, have the reasonable potential to cause, or contribute to, an increase in sediment and turbidity levels in the Mad River. As there is currently no basis in the Basin Plan for effluent limits for sediment and turbidity, limits will not be set until sediment loads to inland surface waters are addressed regionwide. However, staff will continue to monitor the loading of sediment and nutrients in the watershed and from this facility. Additional controls on these pollutants may be required if necessary in order to achieve water quality objectives.
12. This project is exempt from provisions of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) because it consists of the operation, repair, maintenance, permitting, leasing, licensing or minor alteration of an existing facility involving no or negligible expansion of use. (California Code of Regulations, Title 14, Section 15301).
13. The permitted discharge is consistent with the antidegradation provision of 40 CFR 131.12 and State Water Board Resolution No. 68-16, *Statement of Policy with Respect to Maintaining High Quality of Waters in California*. The impact on existing water quality will be insignificant.
14. The Regional Water Board has notified the discharger and interested agencies and persons of its intent to prescribe waste discharge requirements for the discharge and has provided them with an opportunity to submit their written comments and recommendations.
15. The Regional Water Board, in a public meeting, heard and considered all comments pertaining to the discharge.

THEREFORE, IT IS HEREBY ORDERED that Waste Discharge Requirements Order No. 87-11 is rescinded and the discharger, in order to meet the provisions contained in Division 7 of the California Water Code (CWC) and regulations adopted thereunder, shall comply with the following:

A. DISCHARGE PROHIBITIONS

1. The discharge of any waste not specifically regulated by this Order is prohibited.
2. The creation of a pollution, contamination, or nuisance, as defined by Section 13050 of the California Water Code (CWC) is prohibited.
3. The discharge of domestic waste, treated or untreated, to surface waters is prohibited.
4. The discharge of wood treatment chemicals or stain control fungicides to surface water or to groundwater is prohibited.
5. The discharge of bark, twigs, branches, sawdust, or woodchips, is prohibited except as specified in **A. DISCHARGE PROHIBITION 6**.
6. The discharge of sawdust and wood chips shall be reduced to the maximum extent practicable by the implementation of BMPs approved by the Executive Officer. By July 15, 2002, the permittee shall submit a list of BMPs and a recommended monitoring program to the Executive Officer for approval. Once approved, the list of BMPs must be implemented to the maximum extent practicable. The permittee may seek changes to the list of approved BMPs by submitting a written request for approval by the Executive Officer

B. SOLIDS DISPOSAL AND HANDLING REQUIREMENTS

1. Woodwaste, including bark, rock, and/or soil from the surface or perimeter of a log deck, shall be maintained in a clean and orderly manner. The woodwaste shall be either disposed at a solid waste facility for which waste discharge requirements have been prescribed by a Regional Water Board, or recycled.

C. GENERAL PROVISIONS

1. Availability

A copy of this Order shall be maintained at the discharge facility and shall be available at all times to operating personnel.

2. Severability

Provisions of these waste discharge requirements are severable. If any provision of these requirements is found invalid, the remainder of these requirements shall not be affected.

3. Operation and Maintenance

The discharger shall maintain in good working order and operate as efficiently as possible any facility or control system installed by the discharger to achieve compliance with the waste discharge requirements.

4. Change in Discharge

The discharger shall promptly report to the Regional Water Board any material change in the character, location, or volume of the discharge.

5. Change in Ownership

In the event of any change in control or ownership of land or waste discharge facilities presently owned or controlled by the discharger, the discharger shall notify the succeeding owner or operator of the following items by letter, a copy of which shall be forwarded to the Regional Water Board:

- a. existence of this Order, and
- b. the status of the dischargers' annual fee account

6. Vested Rights

This Order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the discharger from liability under federal, State, or local laws, nor create a vested right for the discharger to continue the waste discharge.

7. Monitoring

The discharger shall comply with the Contingency Planning and Notification Requirements Order No. 74-151 and the Monitoring and Reporting Program No. R1-2002-0036 and any modifications to these documents as specified by the Executive Officer of the Regional Water Board (Executive Officer). Such documents are attached to this Order and incorporated herein. Chemical, bacteriological, and bioassay analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services.

8. Signatory Requirements

- a. All Report of Waste Discharge applications submitted to the Regional Water Board shall be signed by a responsible corporate officer. For purposes of this provision, a responsible corporate officer means:
 - i. a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

- ii. the manager of one or more manufacturing, production, or operating facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
- b. Reports required by this Order, other information requested by the Regional Water Board, and Permit applications submitted for Group II storm water discharges under 40 CFR 122.26(b)(3) may be signed by a duly authorized representative provided:
 - i. the authorization is made in writing by a person described in paragraph (a) of this provision;
 - ii. the authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the company; and
 - iii. the written authorization is submitted to the Regional Water Board prior to or together with any reports, information, or applications signed by the authorized representative. [40 CFR 122.22(b)(c)]
- c. Any person signing a document under paragraph (a) or (b) of this provision shall make the following certification:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted, is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." [40 CFR 122.22(d)]

9. Inspections

The discharger shall permit authorized staff of the Regional Water Board:

- a. to enter premises in which an effluent source is located or in which any required records are kept;
- b. access to copy any records required to be kept under terms and conditions of this Order;
- c. to inspect monitoring equipment or records; and
- d. to sample any discharge.

10. Noncompliance

In the event the discharger is unable to comply with any of the conditions of this Order due to:

- a. breakdown of waste treatment equipment;
- b. accidents caused by human error or negligence; or
- c. other causes such as acts of nature;

The discharger shall notify the Executive Officer by telephone as soon as it or its agents have knowledge of the incident and confirm this notification in writing within two weeks of the telephone notification. The written notification shall include pertinent information explaining reasons for the noncompliance and shall indicate the steps taken to correct the problem and the dates thereof, and the steps being taken to prevent the problem from recurring.

11. Revision of Requirements

This Regional Water Board requires the discharger to file a report of waste discharge at least 120 days before making any material change or proposed change in the character, location, or volume of the discharge.

12. Antifungal Wood Treatment

The discharger shall submit a report and time schedule to the Executive Officer at least 60 days in advance of constructing antifungal wood treatment systems. The report shall describe proposed antifungal wood treatment chemicals, chemical containment methods/structures, treated wood storage areas, and results of rainfall leaching and runoff study.

Certification

I, Susan A. Warner, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, North Coast Region, on May 16, 2002.

Susan A. Warner
Executive Officer